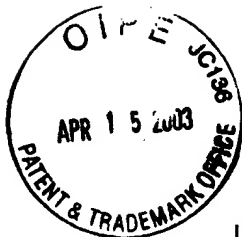


04-16-07

1641



PATENT
ATTORNEY DOCKET NO.: LEAPS-C5
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
M. Seul *et al.*

Serial No. 09/688,573

Filed: 10/17/2000

For: Light-Controlled Electrokinetic
Assembly of Particles Near Surfaces

Group Art Unit: 1641

Examiner: P. Do

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants submit the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed (as checked below):

☐ within three months of the filing date of the above-referenced application

☐ within three months of the date of entry of the national stage in a § 371 application; or

☒ before the mailing of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, other than the listed U.S. Patents, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached PTO 1449 form.

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N/A: English translations of the non-English documents are attached.

___ The following is a concise statement of the relevance of the non-English language documents.

___ In lieu of a statement of relevance or translation of the non-English language documents, an English language version of a search report from a foreign patent office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that: (i) Applicant has read or analyzed any of the documents cited herein, except as otherwise provided; (ii) a search has been conducted; (iii) that no other documents exist which may be material to the examination of this application exist; or (iv) that any of the listed documents, or any part thereof, are material or constitute prior art under title 35 of the United States Code. Applicant reserves the right to present evidence and arguments to counter an assertion that any such documents are prior art, and/or to establish the patentability of the claimed invention.

Respectfully Submitted,

BY: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicants) hereby petitions for any extension of time or for any other grounds needed to make this submission timely and proper. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.

I hereby certify that, on the date indicated below, this correspondence and all attachments indicated herein are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 22031.

By: _____

Date:



FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:

LEAP-C5

Serial No.:

09/668,578

Applicant:

Seul et al.

Filing Date:

10/17/00

Group Art Unit:

1641

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Name	Class	Sub-Class	Filing Date
	5,281,370	01/25/94	Asher et al.			
	5,516,635	05/15/96	Ekins et al.			
	5,518,883	05/21/96	Soini			
	5,415,835	05/16/95	Brueck			
	5,604,097	02/18/97	Brenner			
	5,800,992	09/01/98	Fodor			
	6,023,540	02/08/00	Walt et al.			
	6,327,410	12/04/01	Walt et al.			
	6,266,459	07/24/01	Walt et al.			
	6,429,027	08/06/02	Chee et al.			

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FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation
	WO 93/02360	02/04/93	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
	WO 96/03212	02/08/96	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
	1,248,873	01/17/89	Canada			<input type="checkbox"/> Yes <input type="checkbox"/> No
	WO 93/06121	04/01/93	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, etc.)

Materials from Freedom of Information Act pertaining to David R. Walt

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.
Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.

FORM PTO-1449
(REV. 7-99)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.: 4

SERIAL NO.:

LEA85-C5

09/668,574

APPLICANT(S): SEUL, Michael

FILING DATE: 0

GROUP: 1041

10/17/00

1641

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4	7	1	7	8	5	5	01/05/88	Fuhrwyler	435	7	10/15/84
	AB	5	5	7	3	9	0	9	11/12/98	Singer et al.	435	8	05/20/94
	AC	5	5	8	5	0	6	8	12/17/98	Zanzucchi et al.	422	100	11/10/94
	AD	5	5	8	3	8	3	8	01/14/97	Zanzucchi et al.	435	6	05/31/95
	AE	5	7	2	3	2	1	8	03/03/98	Haugland et al.	428	402	06/07/95
	AF	5	7	4	4	3	0	5	04/28/98	Fodor et al.	435	8	06/06/95
	AG	5	8	0	7	7	5	5	09/15/98	Ekins	438	518	05/23/95
	AH	5	8	3	7	5	5	1	11/17/98	Ekins	438	518	12/23/94
	AI	5	8	7	4	2	1	9	02/23/99	Rava et al.	435	8	04/09/96
	AJ	5	8	8	9	8	3	5	11/23/99	Durley et al.	435	7.2	02/27/97
	AK	6	0	2	3	5	4	0	02/08/00	Walt et al.	385	12	03/14/97

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AL	9	5	1	2	8	0	8	05/11/95	PCT	G01N	21/00		X
	AM	9	6	0	7	9	1	7	03/14/98	PCT	G01N	35/00		X
	AN	9	7	4	0	3	8	3	10/30/97	PCT	G01N	33/543		X
	AO	9	8	0	6	0	0	7	02/12/98	PCT	G03F	7/00		X
	AP	9	8	5	3	3	0	0	11/28/98	PCT	G01N	21/00		X

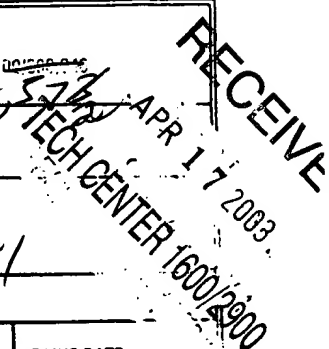
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Micheletto et al., <i>langmuir</i> , vol. 11, 3333-3338 (1995)
AS	Nagayama et al., <i>Phase Transitions</i> , vol. 45, 185-203 (1993)
AT	

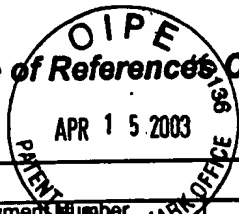
EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Notice of References Cited



Application/Control No.

LEAPS-CS

Applicant(s)/Inventor(s)

Reexamination
SEUL, MICHAEL

Examiner

09/668,573²

Art Unit

1641

Page

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U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-5,747,349	05-1998	van den Engh et al.	436
B	US-5,900,481	05-1999	Lough et al.	536
C	US-6,133,436	10-2000	Koster et al.	536
D	US-6,084,991	07-2000	Sampas	382
E	US-5,442,246	06-1995	Koopal et al.	435
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

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FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 99/18434	04/15/99	PCT		
O	WO 99/19515	04/22/99	PCT		
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
W	
X	

Copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
as in MM-YYYY format are publication dates. Classifications may be US or foreign.